

SOME FORMER MEMBERS OF THE AMERICAN PHILOSOPHICAL SOCIETY.

By THOMAS WILLING BALCH.

(*Read April 18, 1912.*)

The American Philosophical Society, the oldest learned society on this side of the Atlantic, and one of the most ancient in the world, was fortunate in its founder in a double sense. Franklin was not only a man of much learning and active in his advancement of "useful knowledge," but also he embodied in his own career the three classes of men from which most of our membership has been recruited since the founding of this society, whether we take it to begin with the founding of the Junto in 1727, as Du Ponceau so ably maintains,¹ or whether we place it as late as 1743. Franklin was a statesman, as his activities at Paris and London and here in Philadelphia sufficiently attest.² He was a scientist, as his numerous scientific discoveries prove, and he was a man of letters, as his papers abundantly show.³ In the treaty negotiated in 1785 by Franklin for America with the then small kingdom of Prussia, two members of the

¹ Joseph G. Rosengarten, "The American Philosophical Society," Philadelphia, 1909, pp. 13-14.

² In 1780, before the adoption of the Constitution of the United States and when Pennsylvania was still an independent State at war with Great Britain, the General Assembly of Pennsylvania granted a most liberal charter to the Society which contains the following unique provision:

"That it shall and may be lawful for the said Society by their proper officers, at all times, whether in peace or war, to correspond with learned Societies as well as individual learned men, of any nation or country, upon matters merely belonging to the business of the said Society, such as the mutual communication of their discoveries and proceedings in Philosophy and Science; the procuring books, apparatus, natural curiosities, and such other articles of intelligence as are usually exchanged between learned bodies for furthering their common pursuits; Provided always, that such correspondence of the said Society be at all times open to the inspection of the Supreme Executive Council of this Commonwealth."

³ The society possesses seventy-eight per cent. of Franklin's known papers.

brotherhood of nations agreed to abolish privateering between themselves. In that early step looking to free humanity from legalized sea pirates Franklin aided to inaugurate that aim of our American diplomacy that for a century and a quarter has pressed—and not without success, either—towards a greater and greater immunity from capture of private property on the high seas with resulting advantages to all humanity.⁴ And of all three of these classes of men represented by the founder of the society himself, the society has upon its rolls, great and honored names.

Of statesmen, George Washington was a member of the American Philosophical Society. When in the usual course of events, his death was announced, the society adopted a resolution directing its members to wear crape on their left arm for thirty days, as a mark of respect, and commissioned Gilbert Stuart to paint his portrait for its hall. This portrait replica still hangs in the hall of the society, and since the society is a corporation, the picture is one of the very few still in the possession of its original owner. Thomas Jefferson, who was twice president of the Union, not only can be claimed by us as a member, but also as our president for a number of years. Not the least of the services that Jefferson rendered to mankind was the work that he did to advance the law of neutrality in a liberal and enlightened way. For, as the distinguished British international juriconsult, Mr. Westlake—the holder for twenty years of the Whewell chair at Cambridge University, and an ex-judge of The Hague International Court (1900–1906)—has pointed out in his treatise on “International Law,”⁵ the position that Jefferson as secretary of state in Washington’s administration took on the rules of the law of nations involved in the efforts of the young American republic to maintain its neutrality during the war then in progress between Great Britain and France, the two most powerful

⁴ Henry Wheaton, edited by R. H. Dana, “International Law,” Boston, 1866; Émile de Laveleye, “Du respect de la propriété privée sur mer en temps de guerre” (*Revue de Droit International*), Brussels, 1875; John Westlake, “International Law,” Cambridge University Press, 1907; Ernest Nys, “Le Droit International,” Brussels, 1904–6; “Les États-Unis et le Droit des Gens,” Brussels, 1908; J. de Louter, “Het Stellig Volkenrecht,” The Hague, 1910.

⁵ John Westlake, “International Law,” Cambridge University Press, 1907, Volume II., pages 175–176.

nations of that day in Europe, exercised a powerful influence towards shaping the law of neutrality as it is to-day. Jefferson took advanced ground, both with France and Great Britain, on many of the questions that arose at that time. And the principles for which he then contended, several of them then hardly thought of, much less universally recognized, by nations, have in the course of a century become gradually imbedded into the acknowledged law of nations.⁶

Grover Cleveland, too, who stood as immovable as Gibraltar between a nation crazed by a generation of vicious financial legislation and the disasters and burdens of a debased currency into which it wished to plunge with the blind hope of curing the ills from which it suffered, made a third of our members whose fame as a great president of the United States has reached to the uttermost parts of the earth. Many other notable political men who have helped to shape the history of our country were members, such men as John Dickinson, Albert Gallatin, John Adams, Alexander Hamilton, Thomas Willing, Robert Morris, Charles Thomson, Francis Lightfoot Lee, DeWitt Clinton, John Quincy Adams, Alexander James Dallas, George Mifflin Dallas, Manasseh Cutler, Charles Jared Ingersoll, Nicholas Biddle, Robert C. Winthrop, Thomas Francis Bayard and Carl Schurz. And of foreigners who led active and important political lives many have been members: such men as the Count de Vergennes, the Marquis de la Fayette, George Douglas Campbell, Eighth Duke of Argyle, and William Ewart Gladstone, the latter two of whom both made their mark in the world of letters.

We have had among our membership a few representatives of the Fine Arts. And in this group it is gratifying to the local pride

⁶ The society is fortunate in possessing an original imprint of the Declaration of Independence as well as a draft copy of the declaration in Jefferson's own hand, and many manuscripts of Indian vocabularies, most of them collected by Jefferson.

Dr. Holland possesses the diploma that the Royal Physical Society of Edinburgh—which was instituted in 1771 and confirmed by royal authority in 1788—awarded at Edinburgh on April 12, 1799, to Thomas Jefferson when that society elected him an Honorary Fellow. In the diploma Jefferson is addressed as President of the United States, though he was really Vice-President. At that time the Vice-President was the man who received the second highest vote, and it was the custom abroad to address the Vice-President as President.

of the home of our society that the first admitted to our ranks was a Pennsylvanian by birth, Benjamin West. He was elected on June 10, 1768. By the generosity of Colonel Joseph Shippen, himself a member of this society, who served under General Forbes in the capture of Fort du Quesne (1758), Andrew Allen, and the kind aid of other friends, West, after studying in this country, was enabled to study in Europe. Before his death, West had the pleasure of knowing that he had gained an international reputation. Another painter who was a fellow member, John Trumbull, a commissioner appointed by Washington to act under Article VII. of Jay's Treaty in the settlement of claims of American citizens against Great Britain, has left to America many a historic canvas. Charles Wilson Peale and Robert Edge Pine were both elected July 21, 1786. Peale was the founder of the Pennsylvania Academy of the Fine Arts, of which another of our members and a leading citizen of Philadelphia, George Clymer, signer of the Declaration of Independence, was chosen in 1805 the first president. Robert Edge Pine, the son of John Pine, an artist of distinction, was born in London, and died in Philadelphia, November 19, 1788. He won the first prize in 1760 of £100 offered by the society for the encouragement of the arts for the best historical picture presented that year, his "Surrender of Calais," with life size figures, and two years later gaining another prize with his picture "Canute Reproving his Courtiers," Pine rose into prominence. He painted portraits of John Wilkes, David Garrick and other well-known men of the day in Great Britain. About 1782 or 1783, Pine brought his family over to America. He had letters of introduction to Francis Hopkinson, whose portrait he painted. Hopkinson wrote to Washington introducing Pine and asking the general to sit to the latter for his portrait. This brought out from Washington the famous "In for a penny, in for a pound" letter. However, Washington sat for Pine, and the resulting portrait was engraved for Irving's "Life of Washington." On July 17, 1835, Thomas Sully, another portrait painter and a Philadelphian, was elected a member. The portrait of Thomas Jefferson, which belongs to the society, who sat in yonder chair when he drafted the Declaration of Independence, we owe to Sully's

brush. And as you look upon the features of the third American President that hangs upon the south wall of this room, as rendered to posterity by Sully, do you not notice the marked resemblance to another Jefferson who was easily the prince of the American comic stage and also an author of no mean proportions.⁷ John Sartain, the engraver, was a member. To this group we must not forget to add as a representative of the Fine Arts the French architect, Viollet-le-Duc. He was the author of "*L'Histoire d'Une Cathédrale*"; and in the reign of Louis Napoleon, Viollet-le-Duc did good work for the preservation and restoration of many of the architectural treasures of France. He restored the justly famous feudal castle of Pierrefonds, once the property of the Duc d'Orleans, and arranged for the preservation of the yet greater feudal stronghold of Coucy-le-Château, whose lords boasted of their power in the famous motto:

"Roi ne suis, ni prince, ni duc, ni comte aussi,
Suis le sieur de Coucy."

Of famous jurists we have had John Jay, first Chief Justice of the Supreme Court of the United States, and negotiator of Jay's Treaty (1794); John Marshall and Roger Brooke Taney, who both have sat in that same chair; Justice Bushrod Washington, who sat on that same high tribunal; Robert R. Livingston, first chancellor of New York, and Lord Coleridge, Chief Justice of England. So, too, Thomas McKean, a signer of the Declaration of Independence and Chief Justice of the Supreme Court of Pennsylvania, and Edward Shippen, McKean's successor as chief justice of this commonwealth, were members. So, likewise, William Tilghman,⁸ Shippen's successor, in the highest judicial office of the state, was elected a member and also president of the society from 1824 until his death three years later. Horace Binney, who won for the city of Philadelphia the Girard will case, was a member; and also James C. Carter, for many years the acknowledged leader of the American bar, and Edward J. Phelps, minister to the court of St. James. The latter two were our leading counsels in the Bering Sea Fur Seal case with the British Empire in 1893.

⁷ Joseph Jefferson's "*Autobiography*," New York, 1890.

⁸ See H. Binney's eulogium, appendix to 16 Sargeant and Rawle.

Another man to make his mark as a jurist and at the same time in the world of letters, who filled the presidential chair of this society, was Peter Stephen Du Ponceau. His picture by Sully hangs there on the northern wall. Born in the Isle de Rè off the western coast of France, June 3, 1760, Pierre Etienne Du Ponceau came to America in 1777 as secretary to Baron Steuben.⁹ After the war was over, Du Ponceau studied law and was admitted to the Philadelphia bar in 1785 and made his mark in that profession. In the year 1810 he published in this city a translation under the title of "A Treatise on the Law of War," of the first book of Cornelius van Bynkershoek's "Quæstiones Juris Publici," prefixing to it a preface and introduction distinguished alike for style and learning.¹⁰ Du

⁹ Robley Dunglison, M.D., "A Public Discourse in Commemoration of Peter S. Du Ponceau, LL.D., late President of the American Philosophical Society, delivered before the Society pursuant to appointment, on the 25th of October, 1844," Philadelphia, 1844; Ernest Nys, "Les États-Unis et le Droit des Gens," Brussels, 1909, page 147.

¹⁰ He translated into English two other books treating of two phases of international law. Neither has even been printed and the manuscript translations are now in the possession of the society. One, entitled the "Law of Neutrality," was translated from the German translation of the original work of the Abbé Galiani that was published in Italian at Naples in 1782: "De' doveri de' principi neutrali verso i principi guerreggianti, e di questi verso i neutrali libri due." The other, "On the Freedom of the Seas," is a translation of Gerard de Raneval's "De la liberté des Mers," published at Paris in 1811. To Du Ponceau the society is also indebted for the possession of a copy of John Selden's "Mare Clausum," London, 1635-36. From him also it received a copy of Richard Zouche's small book that first appeared in 1650, entitled "Juris et judicii fecialis, sive, Juris Inter Gentes, et Quæstionum de Eodem Explicatio, qua, quæ ad pacem et bellum inter deversos principes, aut populos spectant, ex præcipuis historico-jure-peritis, exhibentur." This little book is very likely the first manual of the *positive* Law of Nations and is rare.

Zouche was probably the first writer who deliberately used the name *Jus Inter Gentes* to designate a science which until that time had been nameless. "This collection of words," Dr. Holland says, "had, indeed, occurred, as it were accidentally, here and there in the pages of earlier writers, such as Victoria, Vasquez, Saurez and Grotius." In 1716, the Chancellor d'Aguesseau advised his son to study "ce qu'on appelle le Droit des Gens, ou, pour parler plus correctement, parceque le nom de Droit des Gens a un autre sens, le Droit entre les Nations." In 1789, Jeremy Bentham in his "Principles of Morals and Legislation" coined the term "International Law" as "calculated to express, in a more significant way, the branch of the law which goes

Ponceau's mental horizon was wide, and he wrote on many and various subjects. In the year 1815 he took an important part in the organization of an historical committee of this society. He first proposed such a committee in 1811. And it was as a result of this committee probably that the Historical Society of Pennsylvania was formed.¹¹ Among the members of this committee was William Thomas, the founder in 1812 of the American Antiquarian Society of Worcester, Massachusetts, the Abbé Correa da Sarra, David Rawle, subsequently the first president of the Historical Society of Pennsylvania,¹² Thomas Jefferson, Alexander James Dallas, Isaiah

commonly under the name of the Law of Nations." Thus Bentham translated Zouche's term *Jus Inter Gentes* into modern English from which has come the equivalents such as *Droit International*, *Diritto Internazionale*, *Derecho Internacional*, etc., of other languages. See Dr. Holland's edition of Zouche's "*Jus Inter Gentes*" in the "*Classics of International Law*," edited by James Brown Scott, Washington, 1911.

¹¹"Early proceedings of the American Philosophical Society for the Promoting of Useful Knowledge, 1744 to 1838," Philadelphia, 1884, page 429.

"1811-June 21. (Patterson; and eight others.)

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"Historical Committee:

"*Resolved*, On the motion of Mr. Du Ponceau, that a committee be appointed to report and devise a plan for organizing a committee or branch of this Society for making researches into and collecting materials for the History of the United States and of Pennsylvania in particular or any other plan for accomplishing the same object.

"*Resolved*, That the Board of Officers be the Committee . . . to report in one month."

¹²*Transaction of the Historical and Literary Committee of the American Philosophical Society*, Philadelphia, 1819, Vol. I., pages v-viii: "At a meeting of the American Philosophical Society held at Philadelphia for promoting useful knowledge, March 17, 1815.

"*Resolved*, that a seventh committee be added to the six already established by the twelfth fundamental law, to be denominated 'The Committee of History, Moral Science, and General Literature.'"

The other six committees were:

1. Geography, Mathematics, Natural Philosophy and Astronomy.
2. Of Medicine and Anatomy.
3. Natural History and Chemistry.
4. Of Trade and Commerce.
5. Of Mechanics and Architecture.
6. Of Husbandry and American Improvements.

In 1843 the Historical and Literary Committee published its third volume.

Hosack of New York, William Short of Virginia, John Sargeant, William Tilghman, Thomas McKean, Charles J. Ingersoll, Nicholas Biddle and Caspar Wistar. Du Ponceau may therefore be considered to have been, with William Rawle and others, one of the founders of the Historical Society of Pennsylvania.¹³

As a result of this committee, Du Ponceau prepared a work on the "General Character and Forms of the Languages of the American Indians," that he read January 12, 1819, and which was printed in the *Transactions* of the committee. This work added to the author's reputation. On June 6, 1821, he delivered before the American Philosophical Society the annual address, taking as his subject the "Early History of Pennsylvania." Among many other writings, he gave in 1834 an address before the Law Academy of Philadelphia, of which he was then provost, on the "Constitution of the United States," of which a French translation was published three years afterwards at Paris. The next year the *Institut Royal* of France crowned his work in French on the grammatical languages of the Lenni-Lenape and some other North American Indians with the "Prix Volney."¹⁴ On the second of December, 1836, Du

¹³ In Du Ponceau's will this interesting passage occurs:

"The Historical Society of Pennsylvania is in danger of perishing for want of support. While almost every other State has an historical society, shall it be said that Pennsylvania wants one? Under the auspices of its illustrious founder, William Rawle, it has produced interesting and valuable memoirs: the honor of the State requires that the work should be continued. I recommend to them to increase the number of their members, and, perhaps, to raise the annual subscription to five dollars." A distinguished member of the Bar and so accustomed to sift evidence, a scholar, an antiquary, himself one of the principal participants in the foundation of the Historical Society and its second President (1837-1844), Du Ponceau in writing the above quotation probably knew whereof he wrote. Besides a man does not write anything in his will without careful consideration. See Robley Dunglison: "A Public Discourse in Commemoration of Peter S. Du Ponceau, LL.D., late President of the American Philosophical Society, delivered before the Society pursuant to appointment, on the 25th of October, 1844." Published by the Society, Philadelphia, 1844, page. 23.

¹⁴ "Mémoire sur le système grammatical des langues de quelques nations, indiennes de l'Amérique du Nord; ouvrage qui à la séance publique annuelle de l'Institut Royal de France, le 2 mai, 1835, a remporté le prix fondé par M. le comte de Volney: par M. P.—Et. Du Ponceau, LL.D.," Paris, 1838.

Ponceau read before this society a long paper on "The Nature and Character of the Chinese System of Writing," which was printed in 1838 in the second volume of the *Transactions* of the Historical and Literary Committee.¹⁵

Besides being president of the American Philosophical Society from 1827 to 1844, a period of seventeen years, Du Ponceau was president of the Historical Society of Pennsylvania from 1837 to 1844, provost of the Law Academy of Philadelphia from 1821 to 1844, chancellor of the Law Association of Philadelphia from 1836 to 1844, and the president of the Philadelphia Athenæum for more than sixty years. Du Ponceau was elected as a result of his literary labors a corresponding member of many learned societies both at home and abroad, such as the American Antiquarian Society (1813), the Massachusetts Historical Society (1818), the New York Historical Society (1819), the American Academy of Arts and Sciences of Boston (1820), the French Institute (1827), the Royal Academy of Turin (1829), the Academy of Inscriptions, Belles-Lettres, History and Antiquities of Sweden (1831), the Academy of Sciences and Belles-Lettres of Palermo (1837), and many more that attest the high regard in which his work was held by scholars the world over. In addition, Harvard, the oldest of American universities, conferred in 1820 upon this scholar who was learned in the law the degree of Doctor of Laws, *honoris causa*.

Two sovereigns were members of this society, Joseph Bonaparte, who was designated on the list of members as "Joseph Count de Survilliers," King of Spain, from 1808 to 1813; and Louis Philippe, King of the French from 1830 to 1848. The former of these royal exiles presented to the society an Etruscan vase.

Anthony Wayne, the victor of Stony Point, and whose equestrian statue now mounts guard at Valley Forge, was chosen a member between April 16, 1779, and January 19, 1781.¹⁶

¹⁵ "A Dissertation of the Nature and Character of the Chinese System of Writing, in a letter to John Vaughan, Esq.," by Peter S. Du Ponceau, LL.D., Philadelphia, 1838.

¹⁶ Samuel Whitaker Pennypacker, "Pennsylvania in American History," Philadelphia, 1910, pages 30, 208.

George Gordon Meade, of Pennsylvania, commander of the Army of the Potomac, who held the supreme command for the Union during the three days' battle at Gettysburg,¹⁷ where the flood tide of the Confederacy was halted and forced to ebb, was elected a member in 1871.

Charles Wilkes, of New York, the discoverer of Wilkes Land in East Antarctica,¹⁸ who announced to a disbelieving world that in the Antarctic there was a land continental in size, was also a member. Like Meade, the hero of Gettysburg, the fame of Commodore Wilkes circled the globe, when early in the Civil War, Captain Wilkes, as he then was, in command of the *San Jacinto*, took from the British mail steamer *Trent*, Messrs. Mason and Slidell, two southern "gentlemen of distinction," who were on their way to Europe to try to represent the Confederate States respectively at the courts of St. James and the Tuilleries. Wilkes's bold action almost caused a war between this country and Great Britain, that was averted only by the prompt surrender of the Confederate "envoys" to Great Britain. That act established the rule of international law, that the representatives of a belligerent to a neutral power when navigating the high seas under a neutral flag cannot be captured. At the time, the action of Wilkes was condemned generally outside of the United States as a flagrant breach of the law of nations, and by none more so than by distinguished British publicists such as Montague Bernard and Sir William Vernon-Harcourt, "Historicus." The passage of time, however, has brought out proof, through the then British Premier, Lord Palmerston, that in the opinion of the best international legal advisers at that time of the British crown—Sir William Atherton, Attorney-General, Sir Roundell Palmer, Solicitor General (afterwards Lord Selborne) and Dr. (afterwards Sir Robert) Phillimore, counsel to the Admiralty—Captain Wilkes had acted according to international law as upheld in practice by Great Britain herself by no less an authority

¹⁷ *The Pennsylvania Magazine of History and Biography*, Philadelphia, 1911, pages 1-40.

¹⁸ Edwin Swift Balch, "Antarctica," Philadelphia, 1902; "Why America should Re-explore Wilkes Land," *Proceedings American Philosophical Society*, 1909.

than the celebrated expounder and architect of maritime law—Sir William Scott, later Lord Stowell.¹⁹

The Rev. Charles Magnus von Wrangel, of the Church of Sweden, was a member. Bishop Wrangel was born in Sweden about 1730, and was descended from Karl Gustaf, Count Wrangel, a general of the Thirty Years' War, who served under Gustavus Adolphus and Bernard of Saxe-Weimar. Educated at Vestrås and the University of Upsala, Wrangel received in 1757 from the University of Göttingen the degree of D.D., and was shortly afterwards nominated as court preacher to the King of Sweden. In 1759 he was called to the provostship of the Swedish churches in "New Sweden," and arrived in Philadelphia the same year. He at once took charge of the Wicaco parish (*Gloria Dei*), which was first organized in 1677 and was the second oldest parish of the Church of Sweden in this state, the first having been established on Greater Tinicum Island shortly after Governor Printz landed there in 1643. Dr. Wrangel also had the oversight of all the Swedish congregations in Pennsylvania and New Jersey. Returning to Sweden in 1768, he was given the pastorate of Sala. In this country, according to the instructions of the Archbishop of Sweden, he cordially and actively coöperated with the German Lutheran ministers.

The Rev. Dr. Robert Blackwell, of the Church of England, was a member. A son of Colonel Jacob Blackwell, of Long Island, who belonged to the family that long possessed and from whom was named Blackwell's Island in the East River, he was ordained to the ministry of the English Church, and after serving several parishes in this country, he ministered to Saint Peter's church. His house, on the south side of Pine Street, number 224, still stands with its imposing front of alternating black and red bricks. While Dr. Blackwell lived in it, all the ground westward to Third Street formed

¹⁹ Montague Bérnard, "Notes on Some Questions suggested by the Case of the *Trent*," Oxford and London, March, 1862; Sir William Vernon-Harcourt, "Letters by Historicus on Some Questions of International Law reprinted from *The Times*," London and Cambridge, 1863; Arthur Irwin Dasnet, "John Thadeus Delane, editor of *The Times*, His Life and Correspondence," London, 1908; Arthur Christopher Benson, "The Letters of Queen Victoria," New York, 1907; Thomas Willing Balch, "The Removal of Mason and Slidell from *The Trent*," *The Nation*, New York, February 11, 1909.

his garden. When the War for Independence broke out, he took sides with the colonists and having gained in his youth a knowledge of surgery, he offered his services to the cause, and served all through the trying winter at Valley Forge, as surgeon to the First Pennsylvania Line, having received his commission from Anthony Wayne. He died at Philadelphia, in 1831, having been a notable figure in the life of the city.

Another divine who was a member, was the Rev. John Witherspoon, of the Church of Scotland; he was elected on April 21, 1769. President of the College of New Jersey, now Princeton University, Witherspoon not only impressed his mark upon the youth of many of the leading men of our country in his work at the head of a great institution of learning, but also took an active part in the events, both in his own colony of New Jersey and in those of the Confederation, that secured our admission to the brotherhood of nations. Born at Yester, near Edinburgh, Scotland, February 5, 1722, the son of a pastor of the Scottish Church, and descended through his mother from John Knox, Witherspoon was educated at the University of Edinburgh, and became a minister of the Church of Scotland in 1745 at Perth. Of an active and literary turn of mind, he published in 1764 a work on "Regeneration," and three volumes of "Essays"; he received the same year the degree of D.D. from the University of Aberdeen. Calls came to him from Dundee, Dublin, Rotterdam and the College of New Jersey, all of which he declined. A few years afterwards, however, he accepted a renewed invitation from the College of New Jersey to become its president, and after publishing two volumes of sermons, he sailed for the New World in May, 1768. His inaugural address at Princeton on August 17 of the same year, of the union of piety with science, was delivered in Latin. At once he set himself to the task of developing the college. He raised money, procured books and instruments, among the latter the first orrery made by Rittenhouse. He said he had "become an American the moment he landed." Certainly, no one was more resolute in the cause of liberty. In 1774, just before the beginning of the active strife between the colonies and the mother land, he issued in Philadelphia a work on "Considerations on the

Nature and Extent of the Legislative Authority of the British Parliament." The sermon that he preached on "fast day," May 17, 1776, on the "Dominion of Providence over the Passions of Men," he dedicated to John Hancock, the president of Congress; it was reprinted at Glasgow, with notes in the loyal interest, to show the iniquity of rebels. He was a member of the New Jersey Convention that framed a constitution for that colony and showed much legal knowledge. Among other things he urged an omission of religious tests. He served in the Provincial Congress of New Jersey, and afterwards he represented that colony in the Continental Congress. He always wore his clerical garb, and considered himself to be "God's minister both in a sacred and a civil sense." In Congress he did his full share of work, opposing, with keen insight, the repeated issues of paper currency. The part that Witherspoon played in those years of trial has until now been much underestimated. Among his other services to America it should not be forgotten that he was the only clergyman who signed the Declaration of Independence. The religious leaders of the nations have a profound influence on their development and destiny. For, as Paul Fredericq, of the University of Ghent, has so truly said:

"Perhaps all historians do not attach a sufficient importance to the action of religion on the development or restriction of public liberty. . . . As soon as you do not close your eyes you notice this historic truth: There are religions that put the peoples to sleep and there are religions that keep them awake."

And Witherspoon's religious teaching was not of a kind to lull a nation to slumber.²⁰

²⁰ Montesquieu: "Esprit des Lois," Livre XXIV., chapitre V.; Thomas Balch, "Les Français en Amérique," Paris, 1872, pages 22-41; Émile de Laveleye, "Le Protestantisme et le Catholicisme dans leurs rapports avec la liberté et la prospérité des peuples" (*Revue de Belgique*, Brussels, January 15, 1875), reprinted in "Essais et Études," première série, 1861-1875, Ghent and Paris, 1894, pages 370-409; R. Treumann: "Die Monarchomachen: Eine Darstellung der revolutionären Staatslehren des XVI. Jahrhunderts," Leipzig, 1895; Paul Fredericq, "Le Calvinisme et le Self-Government" (*Journal de Genève*, July 10, 1909), reprinted in the *Journal of the Presbyterian Historical Society*, Philadelphia, June, 1910, page 270.

There are statues of Witherspoon in Fairmount Park, Philadelphia, on Connecticut Avenue in the City of Washington, and on the walls of the library of Princeton University.

Another notable foreign member was John Stuart Mill, philosopher, logician, economist, and a member of the British Parliament, author of a "System of Logic, Ratiocinative and Inductive," "Principles of Political Economy," and other works that influenced humanity. With the name of Mill can be coupled that of an American philosopher, Thomas Paine, the author of "Common Sense." Another of our early men of letters was Constantin François Chasseboeuf, Comte de Volney. Traveller, historian and senator of France, his fame rests chiefly upon his works: "Voyage en Egypte et en Sirie" (1787); "Les Ruines, ou Méditations sur les Révolutions des Empires" (1791); "La Loi naturelle, ou Catéchisme du Citoyen français" (1793), and "Recherches nouvelles sur l'Histoire ancienne" (1814-15).

Of political writers and international jurists we can claim a number: Noah Webster, who wrote "Sketches of American Policy" (1784); "Examination of the Leading Principles of the American Constitution" (1787); "The Rights of Neutrals" (1802); and on many other topics, and gave to America his "American Dictionary of the English Language"; Alexis de Tocqueville, the author of "Democracy in America"; Esquiron de Parieu, who wrote on political science; Henry Wheaton, our minister first at Copenhagen and then Berlin—worthy follower of his great prototypes, Albericus Gentilis, Hugo Grotius and Cornelius van Bynkershoek—whose treatise upon the laws of nations has held high authority among jurists; Theodore Dwight Woolsey, a voluminous writer on religion, political science, international law, President of Yale, a member of l'Institut de Droit International; and Sir Henry Sumner Maine, holder for an all too brief period of the Whewell chair at Cambridge University and expounder of the growth of law and legal customs among many nations in Europe and Asia.²¹

²¹ The Society has among its endowments, The Henry M. Phillips' Prize Essay Fund founded in October, 1888. The interest of this fund is awarded for "the payment of such prize or prizes as may from time to time be awarded by the society for the best essay of real merit on the Science and Philosophy of Jurisprudence." The Phillips Prize was awarded in 1895 to George H. Smith, of Los Angeles, California, for his essay on "The Theory of the State." In 1900 the Phillips Prize was given to W. G. Hastings, of

With the names of historical scholars our rolls in the past at least are rich. Upon them we find Washington Irving, minister to Spain, biographer of Washington and author of "Rip Van Winkle," the "Legend of Sleepy Hollow," "The Alhambra" and the "Conquest of Granada"; Jared Sparks, American historian, who wrote of Washington and other parts of our history; William H. Prescott, who related the conquest of Mexico; François P. G. Guizot, prime minister of Louis Philippe, membre of l'Académie Française and author of "L'Histoire de la Civilization en France" and "L'Histoire de France"; Lord Mahon, Fifth Earl of Stanhope, statesman and historian, lord rector of the University of Aberdeen and a foreign member of the Academy of Moral and Political Sciences of Paris; Victor Duruy, French minister of public education and author of "L'Histoire du Moyen Age" and "L'Histoire de France"; John Lothrop Motley, who has told the world of the struggles of the Netherlands for freedom and independence; George Bancroft, who related for us our own history from the beginning of the nation until a little after its reception into the family of nations; Charles J. Stille, president of the Historical Society of Pennsylvania and provost of the University of Pennsylvania, who wrote of Anthony Wayne; Theodore Mommsen, author of the "History of Rome"; and his fellow countryman, Leopold von Ranke, who treated of the Middle Ages; James Anthony Froude, regius professor of history at Oxford, who wrote "The History of England from the Fall of Wolsey to the Defeat of the Spanish Armada" and many lesser works; the Rt. Rev. William Stubbs, Bishop of Oxford, author of many works relating to the history of England; Henry Martyn Walker, Nebraska, for a monograph on "The Development of Law as illustrated by the Decisions relating to the Police Power of the State." In 1912, this prize was awarded to Charles H. Burr, of Philadelphia, for an essay on "The Treaty-Making Power of the United States and the Method of its enforcement as affecting the Police Powers of the States."

The Society also possesses the Thomas Balch International Law Fund. This endowment was established in 1911 as a memorial to Thomas Balch "for his share in bringing about the arbitration by the Geneva Tribunal of the Alabama claims." It is intended, subject to certain restrictions, to be used for the purchase of books relating to the law of nations and such other uses, when thought advisable, as may promote the study of that science.

Baird, who told us of the Huguenots; Frederick D. Stone, librarian of the Historical Society of Pennsylvania, who did so much to make the rich collections of that society accessible to scholars; Justin Winsor, of Harvard, editor of the "Narrative and Critical History of America." And last, but not least, our fellow townsman, the late Henry Charles Lea, whose portrait hangs in the north hall, one of the greatest historians that America has given to the world, and at the time of his death probably the most distinguished citizen of Philadelphia, was a member of this society.

Among economists we have had a number of well-known men: Dupont de Nemours, one of the famous French school of physiocrats, who finally settled in the neighboring state of Delaware, and presented to the society a bust of Turgot; Henry Carey, whose name is known wherever the science of political economy is taught; Michel Chevalier, who enlightened the world on many points of economy; Leon Say, the notable French minister of finance and president of the French senate, who by his able management of the French finances added new luster to a name already made famous among economists by his honored sire and grandsire and earned by his works on economics, "l'Histoire de la Théorie de changes étrangers," "l'Histoire de la Caisse d'escompte," "La Vie de Turgot," etc., election in 1886 to l'Académie Française; and Pierre Emile Levasseur, a member of l'Académie des sciences morales et Politiques of France.

The portals of the temple of letters had just opened before Albert H. Smyth when he was carried off to the silent majority. Those who were so fortunate as to hear his impromptu address in this hall, prepared only upon thirty minutes' notice, to the "Americanists," when they visited the society, a few years since, were impressed with the admirable manner in which, on that occasion, he received our guests. Every one who attended the annual dinner of the society in 1907, will remember how well he acted as toastmaster, drawing upon his abundant knowledge of Anglo-Saxon literature for many an apt quotation.

We have had noted poets, essayists and novelists, too: James Russell Lowell, John Greenleaf Whittier, Ralph Waldo Emerson,

and Oliver Wendell Holmes. And let us not forget that a Philadelphian, George H. Boker, minister to Russia and author of *Francesca di Rimini*, was elected a member. Surely it is our loss that Samuel L. Clemens (Mark Twain) was not: his was a case of the "quarante et unième fauteuil" of the French Academy, for the name of Mark Twain will be remembered as long as our country lasts.

I should much like to speak to you of our living townsmen here, as well as in other parts of the country, who are members and have gained distinction in the world of letters; but there is not time to mention them *all*, and it is too difficult and ungracious a task to choose among them.

From the foregoing men whom we have learnt were members of this notable society, we see that in its bounds it has embraced all knowledge, and awarded the honor of its membership not to a single class of scholars or even to members of a few groups, but to savants to whatever branch of learning they may have devoted their time and powers. Membership in this society is an honor justly prized among scholars. And not the least of the causes for the esteem in which membership in the American Philosophical Society is held, is that it is so *universal* in its scholarship.

The greatest thinkers of the world were men whose mental horizon was not limited by the thought that that study upon which they devoted their best powers was vastly more important than any other, but recognized that knowledge extended in all directions and took an interest in many channels.

One of the best and most notable examples of a man whose learning was not confined only to his special branch, but who sought by every means in his power to gain as an aid to his cherished aim knowledge in every sphere of human activity, was the ablest of the Carthaginian generals, Hannibal. Master of everything that was known in his time that pertained to the carrying on of war, Hannibal was not only the school master of the Romans in the art of strategy, an art which he practically originated and drilled thoroughly into his Roman pupils by inflicting upon them all sorts and kinds of reverses, but also he was a scholar. For splendidly educated by the direction of his father, Hamilcar, he knew almost every-

thing that was to be known in his day. His natural genius as a born military leader of men and able diplomatist was enhanced by vast learning. His scholarship, far from proving a detriment, aided him in that marvelous war that, with slender means, he waged against the Romans and their great resources, a war known to the latter as the war against Hannibal. Another active man of affairs who rejoiced in a broad education, was the Scandinavian warrior-statesman-king, surnamed the "Lion of the North and Defender of the Faith," Gustavus II. Adolphus of Sweden.²² Other men of wide and di-

²² Pennsylvania has especial interest in Gustavus Adolphus. For when William Usselinx found that he could not persuade the states general of his native Holland to take hold of his scheme for a Dutch trading and colonizing company in the New World, he turned with reluctance in 1624, to Sweden for aid. At Göteborg in October or November of 1624, Gustavus Adolphus granted him a six hours' interview to unfold his plans. On November 4, Usselinx had the draft charter of the proposed company ready; then the general prospectus of the proposed company was issued; and on December 21, 1624, the Swedish king gave "commission to William Usselinx to establish a General Trading Company for Asia, Africa, America and Magellanica." Finally, on June 6, 1626, King Gustavus Adolphus signed the charter of the South Company, to carry on trade beyond the seas and to colonize. It was the first forerunner of that later Swedish Company in whose service Lieutenant Colonel John Printz, subsequently starting from Göteborg with the two vessels, the *Fama* and the *Swan*, crossed the Atlantic in 1642, to become the fourth governor of New Sweden. Printz, like his three Swedish predecessors, landed at Fort Christina, the site of modern Wilmington in the present state of Delaware. But before the Swedish governors began to rule in the territory of the colony of Delaware, a Dutch settlement was started near the mouth of Delaware Bay, at Swanendael, and lasted for a few months, until all its members were killed by the Indians. In 1643, the year after Governor Printz had started from Sweden to cross the Atlantic Ocean to New Sweden, and had established himself at Fort Christina, he moved his seat of government from the territory subsequently called Delaware, to Great Tinicum Island (Tenakon as the Indians called it), a part of what is now Pennsylvania. And so Printz was the first man to represent in his own person a European sovereign, who established a seat of government in the territory of what is now the commonwealth of Pennsylvania. Thus Pennsylvania looks for the beginning of her sovereignty to Queen Christina of Sweden and her chancellor Axel Oxenstierna, and through them to Gustavus Adolphus. The thirteen colonies that sprang from three northern nations of Europe—England, Holland and Sweden,—and founded the United States of America, can look back to three historic figures,—Elizabeth of England, Father William of the Netherlands, and Gustavus Adolphus of Sweden, all three worthy prototypes of our own national father, Washington.

verse learning were Leonardo da Vinci, Grotius, Rabelais, Copernicus, Napoleon, Cavour and Bismarck. To all these men who looked through all knowledge for their guide and aid in their life's works are applicable the lines of Wordsworth:

"Who with a natural instinct to discern,
What knowledge can perform, is diligent to learn."

There are numerous societies devoted to one line of research, where men who are engaged in a common pursuit, can exchange ideas upon their favorite theme. Here in Philadelphia, the home of the society, we have, for example, the Historical Society of Pennsylvania (1824), the Academy of Natural Sciences (1812), and the Franklin Institute (1822), each one of which is devoted to a special field of research. So in other cities you find quantities of such societies devoted to a single, or at most two or three topics of investigation. But the American Philosophical Society is one of the very few associations in the world which by its membership has been *representative of all learning*. Other societies that represent all knowledge are the Hungarian Academy of Sciences of Buda-Pest (1825); the Institut de France of Paris (1795); the American Academy of Arts and Sciences of Boston (1780), the second oldest American society of learning;²³ the Académie Royale de Belgique of Brussels (1771); the Königlische Bayerische Akademie der Wissenschaften of Munich (1759); the Royal Academy of Sciences and Lettres of Denmark of Copenhagen (1742); the Imperial Russian Academy of St. Petersburg (1725), conceived by Peter the Great, and organized and endowed by Catherine upon the plans of Leibniz and Wolff; the Königlische Preussische Akademie der Wissenschaften of Berlin (1700), whose first president was Leibniz and which numbered among its members Savigny, Schleiermacher, Bopp, Ranke

J. Franklin Jameson, "William Usselinx, founder of the Dutch and Swedish West India Companies," papers of the American Historical Association, New York, 1887, Volume II., No. 3; James M. Swank, "Progressive Pennsylvania: a record of the Remarkable Industrial Development of the Keystone State," Philadelphia, 1908, page 13; Amandus Johnson, "The Swedish Settlements on the Delaware, 1638-1664," Philadelphia, 1911.

²³ *Proceedings of the American Academy of Arts and Sciences*, Volume XLIV., No. 26, September, 1909.

and Wheaton; and the Royal Academy of the Lincei of Rome (1603), one of whose foreign members was the historian, Henry Charles Lea. A few more might be cited but their total number is small.

Surely some of the work performed by men of letters has redounded as much to the benefit and advancement of humanity as anything discovered by the exact scientists. What more difficult and beneficent task opens before the scholar than the effort to aid in solving the difficult problem of government? Like individuals, nations are born, grow up unless cut down in their youth, reach maturity and sooner or later die. Yet in both the case of the individuals and states the span of life can be shortened or lengthened according as sound rules of life are followed. In the case of nations this depends in great part on what manner of government they have. For thousands of years men have worked at that problem and the solution of it seems as far off as at the beginning. A little more than a century since, some of the ablest men of our then young country—some of them members of this Society—framed in yonder historic building, our old Pennsylvania State House (1735), in the shadow of whose steeple this also historic building stands, a form of government that at the time was admirably suited to the needs of this country. It was a distinct advance in government building. Yet, they originated little that was new, and most of that little proved in practice to be abortive. In framing the form of government under which this republic has prospered for over a hundred years, they ranged the whole past of humanity for the efforts of other races at government building. And from the experiments of other nations, as tried and tested in the sound school of experience, and the writings of the great commentators upon government and human rights, such as Locke, Grotius, Montesquieu and Burlamaqui,²⁴ they evolved their scheme of government.²⁵ That that

²⁴ J. J. Burlamaqui, "The Principles of Natural Law;—in which the true systems of Morality and Civil Government are established." Nugent's translation, London, 1748. There is a copy of this book in the Library Company of Philadelphia.

²⁵ Writing from Philadelphia, November 13, 1789, to Jean Baptiste Le Roy, Franklin says: "Our new Constitution is now established, and has an appearance that promises permanency; but in this world nothing can be said to be certain, except death and taxes."

plan is not working so smoothly now as in their day is due to the changed conditions that have grown up, especially the vast increase of population, largely congregated in small areas. Formerly it was a great deal easier for a man to rise to political leadership unaided except by the appeal that his abilities and force of character made upon his neighbors. And to-day many of the best political men rise in small communities. So in South Africa, where the population is sparse in the country districts and the cities and towns are still generally small, one of the Dutch farmers of the Orange Free State rose in the Anglo-Dutch three years' war to become the ablest general who held high command on either side, Christian de Wet. Such a career as his would be almost impossible in a densely populated country. To so adapt the governmental structure to the ever-changing conditions of population that the individuality of most men will not be strangled by the density of population in which they live is as difficult an undertaking as any problem within the range of science, as worthy of the efforts of the best minds as the continued attempts to conquer disease, or to win a reasonable safe and certain navigation through the air. In all times and climes there have been political leaders with but little knowledge of events and institutions before their own lives began, who have asserted that existing institutions and laws were inadequate and bad, and in glittering phrases have said that such conditions must be changed. But as a rule they have not presented any well thought out plans by which such conditions could be remedied to the advantage of the human race. For while men have found it easy to destroy governmental structures, only occasionally a leader like Charlemagne or Washington, for instance, has come forward possessed of the ability to build up something new for the advantage of humanity. And towards the efforts of such political leaders of the human race to devise a better and more acceptable system of government, publicists from Plato down, have made valuable contributions. Malthus in 1798 published his "Essay on the Principle of Population," in which he pointed out that population tends to increase faster than sustenance, with the result that poverty, misery and vice must ever be present with us. He explained and expounded the "struggle for existence" (those

are his identical words) among mankind.²⁶ Studying his subject further, he found that Plato and Aristotle had grasped the same fact that the human race tends to increase more rapidly than the means of nourishment. Of such publicists, as Witherspoon, for example, a number, as we have seen, were members of the American Philosophical Society.

Thus as we look at the roll of this truly historic society, the oldest society of learning in the New World, we see that its membership has been recruited year by year with original workers seeking after truth in all branches of Knowledge, whether in the Republic of Letters, the Exact Sciences or the Mechanical and the Fine Arts, so as to keep the American Philosophical Society truly representative of *all learning*.

²⁶ T. R. Malthus, "An Essay on the Principle of Population, as it affects the future Improvement of Society, with remarks on the speculations of Mr. Godwin, M. Condorcet, and other writers," London, 1798, page 48.